

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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| |) | |
| In the Matter of |) | |
| |) | CC Docket No. 98-67 |
| Telecommunications Relay Services |) | |
| and Speech-to-Speech Services for |) | CG Docket No. 03-123 |
| Individuals with Hearing and Speech |) | |
| Disabilities |) | |

REPLY COMMENTS

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SUMMARY

According to the Petition and the various comments filed in response to the Petition, the Commission must mandate interoperability in order to prevent VRS providers from blocking calls, promote consumer choice, encourage competition, and enforce the law. Unfortunately, interoperability does not serve these purposes for numerous reasons. First, interoperability is unnecessary to ensure that calls are not blocked. Sorenson, a major provider of VRS, does not currently “block” calls to end users. Sorenson simply enforces the license agreements it has with its users. Those agreements state that users will only use Sorenson when initiating VRS calls with Sorenson equipment, the VP-100 videophone. This exclusivity provision does not have the effect of “blocking” calls to end users. Any VP-100 user can contact any other person.

Second, interoperability will not promote consumer choice. Some VRS providers, such as Sorenson, currently supply users with VRS equipment free of charge. They do so based on the assumption that users of their equipment will also use their service. The providers are only compensated when users employ their service. Therefore, providers such as Sorenson supply free equipment to users based on the assumption that they will recover the substantial costs involved in the production of that equipment when users make calls through that provider’s VRS. Otherwise, those providers would have to find another way to be compensated for their technology.

In contrast to the current scheme, interoperability will ensure that all VRS providers, regardless of their contributions to VRS technology and equipment, can reap the benefits of the development of that technology and equipment through compensation from the TRS Fund in equal measure to those VRS providers that have invested significant resources in the development of improved technology and equipment. If VRS providers have an equal opportunity to be paid through the TRS Fund regardless of whether they innovate and contribute VRS equipment, there will be no motivation to improve technology. Users will then be left with no choices.

Third, interoperability will not encourage competition. As set forth above, interoperability will motivate VRS providers to free load off of the technology of others, rather than develop their own. This will result in a marked decrease, if not a total halt, of the progression of VRS technology. VRS providers will not be motivated to bother improving technology. Competition for improved technology will be discouraged, not encouraged.

In addition, mandatory interoperability is inconsistent with the policies underlying Sections 225(d)(2) and 230(b)(2) of the Communications Act and controlling law regarding the protection of intellectual property. In order to avoid these problems, the Commission should deny Petitioner's request for interoperability.

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REPLY COMMENTS

Pursuant to the Federal Communications Commission's ("Commission") March 1, 2005 Public Notice,¹ Sorenson Media, Inc. ("Sorenson") submits these reply comments in response to the Petition for Declaratory Ruling² ("Petition") filed on February 15, 2005, by the California Coalition of Agencies Serving the Deaf and Hard of Hearing ("Petitioner") requesting that the Commission examine the video relay service ("VRS") market and impose a condition of interoperability on VRS providers as a prerequisite to receiving compensation from the Interstate Telecommunications Relay Service ("TRS") Fund.

¹ *Pleading Cycle Established for Comments on Petition for Declaratory Ruling Filed by California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH) Concerning Video Relay Service (VRS) Interoperability*, Public Notice, CC Docket No. 98-67 and CG Docket No. 03-123, DA 05-509 (rel. March 1, 2005).

² California Coalition of Agencies Serving the Deaf and Hard of Hearing, *Petition for Declaratory Ruling on Interoperability*, CC Docket No. 98-67 and CG Docket No. 03-123, filed Feb. 15, 2005.

I. SORENSON DOES NOT “BLOCK” CALLS TO END USERS

The Petition and the comments to the Petition claim that certain VRS providers “block” VRS calls made to or from users. The term “blocking,” as used in the Petition and the comments to the Petition is both vague and misleading. As used, it implies that callers cannot initiate calls to certain end users. This is not the case with regard, at least, to Sorenson’s VRS Solution. Users employing the VP-100 have the ability to contact any person with a telephone or videophone. Likewise, the VP-100 users can accept calls from any person with a telephone or videophone. These users are not “blocked” from contacting or receiving calls from any end user.³ Although VP-100 users cannot use their VP-100 to contact VRS **providers** other than Sorenson, they can use that equipment to contact any and all end users. Accordingly, the Madison River Communications settlement, cited in many of the comments to the Petition, is not applicable.⁴

A. Sorenson’s VRS Solution Allows All Users to Contact and be Contacted by Any Other Person

Petitioner claims that interoperability is necessary because currently, Sorenson blocks calls, which prevents VRS from being functionally equivalent to the

³ See Sorenson’s initial Comments, filed April 15, 2005, pp. 11-15.

⁴ It is also important to note that the Madison River Communications case was resolved by a Consent Decree, constituting a final settlement of the Enforcement Bureau’s investigation. The Consent Decree did not constitute an adjudication on the merits, and the Bureau made no factual or legal finding of compliance or noncompliance with the Communications Act or the Commission’s rules. See *In the Matter of Madison River Communications, LLC and Affiliated Companies*, DA 05-543 (rel. March 3, 2005) (“*Madison River Consent Decree*”).

telephone system used by the general public.⁵ Several of the comments filed in response to the Petition also claim that Sorenson is blocking calls.⁶ Such claims are inaccurate. Sorenson does not block end users from calling one another. Any Sorenson user can call any other person, regardless of which VRS provider(s) that user utilizes, or whether that person even uses a VRS provider. Sorenson users can also receive calls from anyone, including calls placed through other VRS providers.⁷

Sorenson users are free to initiate point-to-point calls, either by videophone number, if the receiver is a Sorenson user, or by IP address.⁸ Sorenson provides unlimited point-to-point calls at no charge to its users and does not block dialing to other videophones for non-video relay service calls. Sorenson users are also able to receive calls from out-of-network callers, including through other VRS providers, if the caller dials using the IP address, which is the industry standard.

⁵ Petition, pp. 8-10.

⁶ *See, e.g.*, Communications Service for the Deaf, Inc. (“CSD”) Comments, p. 6; Hands On Video Relay Services, Inc. (“Hands On”) Comments, pp. 8-9; Hamilton Relay, Inc. (“Hamilton”) Comments, p. 2.

⁷ Comments to the Petition claim that Sorenson is blocking because callers cannot contact Sorenson’s users through alternate VRS providers by using Sorenson’s assigned videophone numbers. However, any inability to contact Sorenson’s users through this dialing method is due to differences in technology and the inability of devices to translate among one another. Sorenson has made no conscious effort to block calls between Sorenson’s devices and other devices; rather, they are different solutions that do not have the technical ability to connect to one another using this dialing method. Callers always have the ability, however, to contact one another by Internet protocol (“IP”) address, which is the industry standard.

⁸ This direct connection between two videophones, such as a VP-100 to a D-Link, is not considered a VRS call and, as such, is not subject to the Commission’s TRS regulations.

The only thing that Sorenson's users cannot do is use their VP-100 to **initiate relay calls through other VRS providers**. When a user initiates a VRS call with a VP-100, that call must be made through Sorenson's VRS. This does not, as the comments to the Petition suggest, "restrict[] the user from contacting VRS users outside the provider's network" or prohibit consumers from communicating with the customers of other VRS providers.⁹ As stated above, end users can always contact one another directly, and can place VRS calls through their chosen service provider(s). When a user places a VRS call using a VP-100, that user must use Sorenson's VRS interpreter system. If they are unhappy with that system, they are free to use other VRS equipment with other VRS providers. In fact, users can have as many VRS providers as they choose.¹⁰ Sorenson's VRS Solution does not inhibit the users' ability to choose other providers and VP-100 users are under no obligation to use only Sorenson VRS for their VRS needs.¹¹

⁹ Hamilton Comments, p. 2.

¹⁰ Using numerous VRS providers is not cost prohibitive for the deaf and hard-of-hearing communities because certain VRS providers, such as Sorenson, provide equipment, installation and service to users at no cost.

¹¹ This is consistent with a recent Public Notice, which provides that the fact that consumers "may have accepted VRS equipment from one provider does not mean that they cannot use another VRS provider via other equipment they may have." *Federal Communications Commission Clarifies That Certain Telecommunications Relay Services (TRS) Marketing and Call Handling Practices Are Improper and Reminds That Video Relay Service (VRS) May Not Be Used As a Video Remote Interpreting Service*, Public Notice, CC Docket No. 98-67 and CG Docket No. 03-123, DA 05-141, at p. 3 (rel. Jan. 26, 2005) ("*January 26, 2005 Public Notice*").

Because Sorenson does not “block” end users from contacting one another, interoperability is unnecessary to ensure that any caller can contact any other person. Accordingly, the Commission should deny the Petition.

B. Madison River Distinguished

Several of the comments filed in response to the Petition attempt to draw a parallel between the recent *Madison River Consent Decree* and the current Petition.¹² These cases are not analogous. In *Madison River*, the Commission and *Madison River* entered into a consent decree based on *Madison River*’s admission that it had engaged in the systematic and intentional blocking of Internet ports, thereby preventing end users from contacting one another.¹³ In contrast, Sorenson VRS users can contact, or be contacted by, anyone. They are not “blocked” from doing so, as explained above. Sorenson does not block access to the Internet and does not prevent callers from being able to contact others, as in *Madison River*. Accordingly, *Madison River* is not analogous and, therefore, should not be controlling in this docket.

¹² CSD Comments, p. 10; Hands On Comments, p. 8, National Association of the Deaf (“NAD”) Comments, p. 11.

¹³ See *Madison River Consent Decree*, ¶¶ 3, 5.

II. INTEROPERABILITY WILL NOT LEAD TO CONSUMER CHOICE

A. Consumers Currently Have Freedom of Choice

Petitioner contends that VRS users do not enjoy freedom of choice because they are bound to use the service supplied by the VRS provider that provided them with the VRS equipment employed to make the call. Petitioner contends that users must have multiple devices to be able to contact all potential end users. As set forth above, this is not true. Using the IP address dialing method, any caller can contact any other person with a videophone. In addition, Sorenson's users can also use the more convenient videophone number dialing method when contacting other Sorenson users. Further, Sorenson users can contact all other end users through Sorenson VRS. Accordingly, consumer choice is not limited by Sorenson. In fact, Sorenson encourages consumer choice by continuing to innovate and release new products and improved services to benefit the deaf and hard-of-hearing communities.

There are currently eight providers offering some form of VRS to the deaf and hard-of-hearing communities.¹⁴ Consumers are free to select any or all VRS providers. Sorenson's VRS Solution does not inhibit a user's ability to choose in any way. Consumers are not required to choose only one VRS provider, and consumers who choose Sorenson are under no obligation to use only Sorenson VRS for their

¹⁴ The eight VRS providers include AT&T, CAC, Hamilton, Hands On, MCI, Nordia, Sprint, and Sorenson. See National Exchange Carrier Association, *TRS Performance Status Report, Fund Status As Of March 31, 2005*, available at <http://222.neca.org/media/0405TRSSStatus.DOC>.

VRS needs. This is consistent with a recent *January 26, 2005 Public Notice*, which provides that the fact that consumers “may have accepted VRS equipment from one provider does not mean that they cannot use another VRS provider via other equipment they may have.”¹⁵

If the quality of the service is inadequate, or for any other reason, the consumer may simply choose another VRS provider. The Commission should encourage this consumer choice by denying the Petition. This will force VRS providers to release new products and improve the quality of their service in order to attract users.

B. Interoperability Will Actually Limit Consumer Choice

The Petition, and some of the comments filed in response to the Petition, center on consumer choice.¹⁶ Petitioner and others argue that consumers of VRS are entitled to choose their provider and interoperability is the only measure that ensures that choice. In so arguing, several sets of comments draw the following analogy: the current lack of interoperability “is akin to AT&T giving you a telephone handset for your home for free, and then requiring you to place all your calls through AT&T.”¹⁷

¹⁵ *January 26, 2005 Public Notice*, at 3.

¹⁶ *See, e.g.* Petition, p. 8; Alexander Graham Bell Association for the Deaf and Hard of Hearing (“AG Bell”) Comments, ¶¶ 3-4; Hands On Comments, p. 7.

¹⁷ AG Bell Comments, ¶ 6; *see also*, Hands On Comments, p. 7.

This analogy implies that telecommunications providers have some undefined duty to give away equipment with no compensation and that VRS providers are no exception to that duty. It also mistakenly implies that once affiliated with a telecommunications provider, consumers have no ability to change providers. Neither of these implications are true. VRS providers have no duty to provide users with free equipment. Likewise, users have no duty to maintain a relationship with a particular provider. Users are free to change or add VRS providers at any time.

It is common for members of the general public to pick a sole telecommunications provider and use the service of that provider alone. If the consumer becomes dissatisfied, it is common to change carriers. VRS users have the same ability to choose amongst providers. In fact, VRS providers have more flexibility because they can choose multiple providers. Choosing multiple providers is not cost prohibitive for these users because providers like Sorenson supply equipment, installation, and customer service at no charge. Since VRS users already have the option of choosing among providers,¹⁸ interoperability is unnecessary. Accordingly, the Petition should be denied.

¹⁸ See Sorenson's initial Comments, filed April 15, 2005, p. 4.

III. FORCED INTEROPERABILITY IS INCONSISTENT WITH THE COMMUNICATIONS ACT AND CURRENT PRECEDENT REGARDING THE PROTECTION OF INTELLECTUAL PROPERTY

A. Section 225(d)(2) of the Communications Act Was Designed to Encourage the Development of Improved Technology

Under the terms of the Communications Act,¹⁹ carriers have the maximum flexibility to develop technologies and practices that lead to the rapid deployment and widespread availability of VRS. Specifically, Section 225(d)(2) of the Communications Act provides as follows:

The Commission shall ensure that regulations prescribed to implement this section encourage, consistent with section 157 (a) of this title, the use of existing technology and **do not discourage or impair the development of improved technology.**²⁰

The Commission has interpreted this section to include the obligation that its regulations regarding the “use of existing technology do[] not discourage or impair the development of improved technology.”²¹ Accordingly, not only should the Commission’s regulations promote the use of existing technology, but they should do

¹⁹ 47 U.S.C. § 225. Section 225 of the Communications Act, which codifies Title IV of the Americans with Disabilities Act, requires relay services that are functionally equivalent to voice services to the extent possible, and in the most efficient manner as an accommodation to individuals with hearing or speech disabilities.

²⁰ *Id.* (emphasis added).

²¹ *Telecommunications Services for Hearing-Impaired and Speech-Impaired Individuals, and the Americans with Disabilities Act of 1990*, Notice of Proposed Rulemaking, CC Docket 90-571, FCC 90-376, ¶ 2 (rel. Nov. 16, 1990).

so in a way that will not discourage or impair the development of improved technology.²²

If the Commission grants Petitioner the relief sought, it will be doing so in direct conflict with Section 225(d)(2) because it will be failing to ensure that its regulations encourage the development of new technologies and services. The Commission will be directly discouraging innovation by making it difficult, if not impossible, for providers who invest in developing VRS systems to recover their costs.

For example, as set forth above, Sorenson has dedicated substantial resources to the development of the Sorenson VRS Solution. In fact, Sorenson is continuing to invest in research for innovative VRS services. The deaf and hard-of-hearing communities have greatly benefited from the technology stemming from this dedication of resources. Sorenson also benefits from this when it receives compensation from the TRS Fund. However, Sorenson receives compensation only when users employ its interpreters. It does not receive compensation when users employ their free VP-100 to place point-to-point calls or receive calls from other VRS provider's services. If the Commission were to impose the requested interoperability, Sorenson would, likewise, receive no compensation from the TRS Fund if users of its VP-100 place calls using the services of other VRS providers.

²² *Id.*

Accordingly, Sorenson has spent substantial resources developing technology that allows it to provide free equipment²³ to the deaf and hard-of-hearing communities, but for which it receives **no compensation** unless its users make VRS calls through Sorenson's service. If the Commission imposes VRS interoperability, much of the incentive to develop innovations will disappear because any new technology will be shared with all other VRS providers, thus precluding the inventor from recovering or profiting on any investment made. Accordingly, in order to follow the directive of Section 225(d)(2), the Commission should deny Petitioner's request.

B. Section 230(b) of the Communications Act Also Encourages Improved Technology Through Competition

"The Commission's primary policy goal is to 'encourage the ubiquitous availability of broadband to all Americans.'"²⁴ Further, Section 230(b)(2) of the Communications Act provides that "[i]t is the policy of the United States – (2) to preserve the vibrant and competitive free market that presently exists for the

²³ CSD argues that although VRS equipment is currently provided to users for free, it may not be in the future, which could possibly make it cost prohibitive to have multiple devices. CSD Comments, pp. 18-19. CSD's solution to that *potential* problem is interoperability. However, as discussed below, it is interoperability that could potentially lead to providers charging for this equipment in order to gain a return on their investment. This supposed solution to a non-existent problem could, in fact, create the very problem CSD seeks to avoid.

²⁴ *In the Matter of Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities*, Declaratory Ruling and Notice of Proposed Rulemaking, GN Docket 00-185, CS Docket 02-52, ¶ 4 (March 15, 2002) (quoting *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers*, Notice of Proposed Rulemaking, CC Docket 02-33, ¶ 3 (rel. February 15, 2002)).

Internet and other interactive computer services, unfettered by Federal or State regulation...”²⁵ The Commission has recognized that it must be “mindful of the need to minimize both regulation of broadband services and regulatory uncertainty in order to promote investment and innovation in a competitive market.”²⁶

Sorenson’s VRS is a broadband, Internet-based service. It falls into the category of services that both Congress and the Commission have clearly stated should be largely unregulated. These services should be governed, not by regulatory intervention, but rather by the forces of the competitive market. In order to ensure innovation, development and rapid deployment in the broadband market, including in VRS, the Commission should deny the Petition. This will allow the competitive VRS market to encourage providers to invest in advanced technology for VRS products and services, which will, in-turn, benefit the deaf and hard-of-hearing communities.

C. Both the Commission and the Supreme Court Have Long Recognized a Strong Public Interest in Protecting Intellectual Property

The Commission has previously protected proprietary innovations, holding that such protection does not pose a risk to competition.²⁷ In fact, the Commission

²⁵ 47 U.S.C. § 230(b)(2).

²⁶ *In the Matter of Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities*, Declaratory Ruling and Notice of Proposed Rulemaking, GN Docket 00-185, CS Docket 02-52, ¶ 73 (March 15, 2002).

²⁷ *See In the Matter of AT&T Corp., British Telecommunications, plc, VLT Co. LLC, Violet License Co. LLC, and TNV Limited Applications for Grant of Section 214 Authority*, IB Docket 98-212, FCC 99-313, ¶ 60 (October 29, 1999).

has specifically held that “[i]n the theory of dynamic competition, the profit motive impels entrepreneurs to develop innovations...which in turn increase consumer welfare.”²⁸ In so holding, the Commission cited *Mazer v. Stein*, a Supreme Court opinion in which the Court held the following justification for protecting intellectual property:

The economic philosophy behind the clause empowering Congress to grant patents and copyrights is the conviction that encouragement of individual effort by personal gain is the best way to **advance public welfare** through the talents of authors and inventors in ‘Science and useful Arts.’ Sacrificial days devoted to such creative activities deserve rewards commensurate with the services rendered.²⁹

This idea of public benefit stemming from the protection of intellectual property has been affirmed by the Supreme Court on many occasions.³⁰

Sorenson employs this type of protected intellectual property in its VRS Solution. Sorenson created its VRS Solution by investing in the research and development of technology that is either owned by Sorenson or licensed to it. Because Sorenson’s technology is either owned by or licensed to Sorenson, it is protected intellectual property that should not be widely available to all VRS providers.

²⁸ *Id.*

²⁹ *Mazer v. Stein*, 347 U.S. 201, 219, 74 S. Ct. 460, 471, 98 L.Ed. 630 (1954) (emphasis added).

³⁰ *See, e.g., N.Y. Times Co. v. Tasini*, 533 U.S. 483, 496, 121 S.Ct. 2381, 2389, 150 L.Ed.2d 500 (2001); *Harper & Row, Publishers, Inc. v. Nation Enterprises*, 471 U.S. 539, 558, 105 S. Ct. 2218, 2229, 85 L.Ed.2d 588 (1985).

As explained by the Supreme Court, protecting this intellectual property will lead to the advancement of technology, which benefits the public. Sorenson's investment in technology has resulted in advanced products, which have been widely accepted by the deaf and hard-of-hearing communities. Because of this advancement in technology, Sorenson products have been rapidly deployed and Sorenson has earned market share. Under the existing system, nothing prevents other companies from making a similar investment in new products or services that facilitate communication and attract users.

Interoperability with all competitors, in the form requested by Petitioner, will effectively halt the public benefit that stems from this protection of intellectual property. It will allow other VRS providers to benefit from Sorenson's development of technology without expenditure of resources. Under such a system, a provider need not develop its own technology because it can get paid by the TRS Fund by simply interpreting calls made from other providers' systems. Such a structure would allow providers with no investment into VRS development to get paid for placing calls while providers who have invested resources into VRS systems, such as Sorenson, may not be properly compensated for their contributions.

If companies that develop technology for VRS cannot receive a return on their investment, VRS providers will no longer have any incentive to innovate and design superior products, because they will not be compensated for doing so. Without this motivation, VRS technology will never progress and new equipment will never be

designed. As CSD points out, without this equipment “a consumer’s access to friends, relatives and colleagues is cut off.”³¹

In order to protect the investment of Sorenson and, likewise, to motivate others to innovate, the Commission must deny the Petitioner’s demand for interoperability. This will, as stated by the Commission and the Supreme Court, motivate other VRS providers to develop technologically superior equipment in order to expand their user base. In turn, the deaf and hard-of-hearing communities will reap the benefit of this advancement of technology. Without this protection, VRS providers will be motivated not to innovate and develop their own VRS products, but to free load off of the technology already existing, which will harm both the advancement of technology and the end users, the deaf and hard-of-hearing communities.

Because mandatory interoperability will discourage innovation and development of VRS, it will also discourage potential VRS providers from entering the market. Potential providers of VRS will not join the market if they believe that they will not recover any investment made into technology, products, and services.³² In contrast, if the Commission denies Petitioner’s request, thereby protecting the investment by companies developing VRS technology, potential providers of VRS

³¹ CSD Comments, p. 15.

³² AG Bell supports Petitioner’s request for interoperability citing “consumer choice” as its justification. *See* AG Bell Comments, ¶ 1. However, as noted interoperability will discourage potential providers from entering the market and, accordingly, will diminish consumer choice.

will be encouraged to join the VRS market. These additional providers will benefit the deaf and hard-of-hearing communities by introducing new products and/or better services.

IV. IF THE COMMISSION GRANTS PETITIONER'S REQUEST, PROVIDERS WILL NEED ANOTHER MEANS TO RECOVER COSTS FOR RESEARCH, DEVELOPMENT AND PRODUCTION OF VRS EQUIPMENT

Sorenson and other VRS providers currently supply users with free videophones and other equipment. They do so based on the assumption that they will recover the costs of that equipment as users employ their services for communication. If the Commission grants Petitioner's request for interoperability, these VRS providers will need to find another way to recover the costs for research, development and production of equipment.

If VRS providers cannot recover these costs, they will be motivated to discontinue development of VRS equipment, as set forth above. The result of this will be that the deaf and hard-of-hearing communities might be forced to purchase whatever commercially available equipment they can find in retail outlets that has the capability to be used for VRS. This equipment, however, is not designed specifically for VRS and, therefore, may be inferior to the equipment designed by VRS providers. Additionally, given the expense of this commercially available equipment, VRS may become cost prohibitive for certain segments of the deaf and hard-of-hearing communities. Sorenson has always believed that VRS equipment should be free in order to ensure (1) wide spread deployment of VRS services, and

(2) availability of VRS equipment to all members of the deaf and hard-of-hearing communities, regardless of the user's ability to pay for such equipment. If the deaf and hard-of-hearing are forced to purchase retail equipment for VRS, the availability of VRS may decrease and rapid deployment will surely slow down.

Another possible solution is for the TRS Fund to fully reimburse VRS providers for research, development and production of VRS equipment. By this method, the deaf and hard-of-hearing communities could continue to receive the benefit of cost free equipment while the producers of this equipment could receive full payment for their contributions. Unfortunately, this would put additional financial burden on the TRS Fund.

As a third possibility, VRS providers placing calls for users of another VRS provider could reimburse that provider a portion of the amount received by the TRS Fund for each such call. Under this program, if Sorenson, for example, placed a call for a Hamilton user, Sorenson would pay Hamilton a portion of the money received from the TRS Fund for placing that call. Both providers would then recover their investments into production of equipment and services.

There are several methods through which VRS providers could recover their investments into equipment and services if the Commission were to grant the Petition. However, based on logistics and costs, these methods may not be acceptable to the Commission or to the deaf and hard-of-hearing communities. The

most obvious solution to this investment recovery problem is, accordingly, to deny the Petitioner's request for interoperability.

CONCLUSION

Based upon the foregoing reasons, Sorenson respectfully requests that the Commission deny Petitioner's relief sought in its Petition for Declaratory Ruling on VRS interoperability.

DATED this 2nd day of May 2005.

SORENSEN MEDIA, INC.

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing **REPLY COMMENTS** of Sorenson Media, Inc., were sent via first class mail or hand delivered to the following this 2nd day of May 2005:

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